

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

December 1, 2005

Minutes

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at SCAG offices downtown Los Angeles. The meeting was called to order by the President Toni Young, Councilmember, City of Port Hueneme. There was a quorum.

**Members Present**

Councilmember Toni Young, Port Hueneme, President	District 45
Mayor Pro Tem Ron Roberts, Temecula, Immediate Past President	District 5
Supervisor Yvonne Burke, 1 <sup>st</sup> Vice President, Los Angeles County	
Supervisor Gary Ovitt, 2 <sup>nd</sup> Vice President, San Bernardino County	
Supervisor Chris Norby, Orange County	
Councilmember Greg Pettis, Cathedral City	District 2
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Mayor Ron Loveridge, Riverside	District 4
Councilmember Lee Ann Garcia, Grand Terrace	District 6
Mayor Larry McCallon, Highland	District 7
Councilmember Alan Wapner, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Lou Bone, Tustin	District 17
Councilmember Christine Barnes, La Palma	District 18
Councilmember Marilyn Poe, Los Alamitos	District 20
Councilmember Art Brown, Buena Park	District 21
Mayor John Bauman, Brea	District 22
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember David Gafin, Downey	District 25
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Stan Carroll, La Habra Heights	District 31
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Keith Hanks, Azusa	District 33
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Harry Baldwin, San Gabriel	District 35

Councilmember Tom Sykes, Walnut	District 37
Councilmember Paula Lantz, Pomona	District 38
Councilmember Paul Nowatka, Torrance	District 39
Councilmember Jim Aldinger, Manhattan Beach	District 40
Councilmember Pam O'Connor, Santa Monica	District 41
Councilmember Todd Campbell, Burbank	District 42
Councilmember Dennis Washburn, Calabasas	District 44
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Bernard Parks, Los Angeles	District 55
Councilmember Greig Smith, Los Angeles	District 59
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Tim Jasper, Apple Valley	District 65
Supervisor Lou Correa, Orange County	OCTA

### **Members Not Present**

Supervisor Zev Yaroslavsky, LA County	
Supervisor Judy Mikels, Ventura County	
Supervisor Jeff Stone, Riverside County	
Supervisor Victor Carrillo, Imperial Valley	
Councilmember Jon Edney, El Centro	District 1
Councilmember Deborah Robertson, Rialto	District 8
Councilmember Paul Eaton, Montclair	District 9
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Isadore Hall, Compton	District 26
Councilmember Rae Gabelich, Long Beach	District 29
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Councilmember Mike Dispenza, Palmdale	District 43
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Tony Cardenas, Los Angeles	District 53
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Bill Rosendahl, Los Angeles	District 58
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Janice Hahn, Los Angeles	District 62
Mayor Antonio Villariagosa, Los Angeles	At-Large
Councilmember Keith Millhouse, Moorpark	VCTC
Councilmember Robin Lowe, Hemet	RCTC

## **Staff Present**

Mark Pisano, Executive Director  
Jim Gosnell, Deputy Executive Director  
Heather Copp, Chief Financial Officer  
Karen Tachiki, Chief Counsel  
Hasan Ikhrata, Director, Planning & Policy  
Keith Killough, Director, Information Services  
Shelia Stewart, Executive Assistant

### **1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Led by Councilmember Young, President

### **2.0 INSPIRATIONAL MESSAGE**

President Young stated that this is time of year when many celebrations are taking place. She emphasized to everyone the importance of making the celebrations the best they could be as well as making them meaningful to oneself as well as their families.

### **3.0 PUBLIC COMMENT PERIOD**

There were no comments presented at this time.

### **4.0 CONSENT CALENDAR**

Item 4.1.5 was pulled for discussion. The remaining consent calendar items were MOVED (Brown), SECONDED (O'Connor) and UNANIMOUSLY APPROVED

#### **4.1 Approval Items**

4.1.1 Minutes of November 3, 2005

4.1.2 Authorization to Contribute Funds to conclude HDR Issue

4.1.3 Payment of Expenditures not Payable from Direct Projects or Indirect Funds

4.1.4 Contracts over \$250,000

4.1.6 Amendment of the Fulbright & Jaworski Contract

#### **4.2 Receive & File**

4.2.1 Purchase Orders/ Contracts between \$5,000 - \$250,000

4.2.2 Monthly Financial Report

4.2.3 Merit Pay Program Status Report

4.2.4 Deferred Compensation Status Report

4.2.5 2001 Classification Study Final Report Staff Turnover Statistics

**Item Pulled**

4.1.5 Adopt Resolution to apply for FEMA Grant for a Multi-Jurisdictional, Multi-Hazard Disaster Mitigation Plan

Councilmember Tyler stated that the item was pulled at the Administration Committee because the state has a limitation of five submittals in the areas of planning and implementation. Therefore there was a consensus of the Administration Committee to not compete with member agencies.

There were no objections to withdrawing the item.

**5.0 PRESIDENT'S REPORT**

5.1 Appointments

**Subregional Representatives to Policy Committees**

To CEHD: representing Gateway Cities, Hon. Rick Ramirez, Norwalk  
To EEC: representing San Gabriel Valley COG, Hon. David J. Olivas, Baldwin Park

**Audit Committee**

Hon. Cassie DeYoung, Laguna Niguel  
Hon. Deborah Robertson, Rialto

**Southwest Compact Task Force**

Hon. Victor Carrillo, Imperial County  
Hon. Debbie Cook, Huntington Beach  
Hon. Jon Edney, El Centro  
Hon. Frank Gurule, Cudahy

**Water Policy Task Force**

Hon. Stan Carroll, La Habra Heights  
Hon. Rick Ramirez, Gateway Cities (Norwalk)

5.2 President's Announcements

President Young stated that the State has put together committees for purposes of reviewing CEQA and housing issues. Mark Pisano has served on these committee since inception. There are now several issues on the table that Mark Pisano would like to discuss at a joint workshop. There will be two workshops scheduled in order to provide Mr. Pisano with input and recommendations from members. The joint workshops will be scheduled in January 2006.

## **6.0 EXECUTIVE DIRECTOR'S REPORT**

Mark Pisano gave a brief overview on the following: 1) Housing Element/RHHA Reform; 2) CEQA Reform; 3) Goods Movement. He noted that the 2006 State & Legislative Program will be presented and the Regional Council will be asked to review and approve.

## **7.0 ACTION ITEMS**

### **7.1 2006 Legislative Activities**

#### **7.1.1 Federal Lobbyist Report**

John Cline & Tom Crawford, C2 Group, reported on the following:

- Appropriations – work through the Authorizing committee on a clean-up bill for early next year. It may include some policy elements.
- Budget Tax Reconciliation - Congressional leaders are working on a \$35 – \$50 billion budget reconciliation that would cut taxes by \$70 billion. This will put a lot of pressure on members and funding.
- The Labor HHS appropriations took a hit because it was funded as a concurrent resolution with no earmarks. Shows that there are going to be a number of changes in the appropriations process
- Federal Gas tax revenues are lower than anticipated in SAFETEA-LU which could hit the Highway Trust Fund hard. Authorizers are concerned that these levels may not allow full funding to 2008.
- Also worried about further decline due to conservation of gas and may need to reopen legislation on SAFETEA-LU in 2007. C2 has been working to ensure SCAG is represented on SAFETEA-LU commissions. Mark Pisano will be briefing DOT on SCAG's recent studies.

C2 stated that consideration of a trip to D.C. and appropriations requests should be done in mid-to-late February. Mark Pisano stated that consensus group wants to go to D.C. in March. APTA as well as NARC is also scheduled to meet during this time.

#### **7.1.2 2006 State & Federal Legislative Program**

Don Rhodes, Manager, Government Affairs, stated that each year the Regional Council adopts a state and federal legislative program to direct SCAG's legislative activities. The 2006 Legislative Program, which contain highlights from 2005, will guide SCAG's legislative activities in the coming year. The following amendments to the program were made:

**SB 90** – Reimbursement under SB 90 for State mandated expenses.

**Tribal Governments (Page 5):** Based on the adopted tribal governments work plan, and with their *consent and assistance*, offer state legislation, if necessary, to define that federally recognized tribal governments in the SCAG region as government entities for the limited purpose of participating in the SCAG joint powers authority.

**CEQA Reform 1<sup>st</sup> bullet (page 9):** Support CEQA reform that addresses environmental impacts at the regional, “*as well as*” ~~rather than~~ project, scale and promotes environmental outcomes that are preferable to current conditions or “no-plan” future scenarios.

**Housing 3<sup>rd</sup> bullet (Page 8):** Support initiatives that call for local governments and regions to plan for the provision of a 20-year site inventory, based on natural increases in population and job growth, and that allow *voluntary* neighboring jurisdictions to share responsibilities for increasing the housing supply.

**Goods Movement – Combine 2<sup>nd</sup> & 3<sup>rd</sup> bullet (page 7):** Support efforts of the West Coast Corridor Coalition to improve goods movement and reduce congestion along the I-5 from Vancouver, B.C. to Ensenada, Mexico *in conjunction with* ~~urge~~ the state and federal government to take action to limit the mobile source emissions arising from goods movement.

**Aviation 1<sup>st</sup> bullet (Page 6) -** Support legislation to promote and implement a decentralized aviation system, including interconnecting high-speed ground transportation “*and greater noise and environmental-impact protection to communities*”.

Urge the federal Environmental Protection Agency and the California Air Resources Board to exercise their responsibilities for regulating and enforcing aviation environmental mitigation.

It was MOVED (McCallon), SECONDED (Tyler) and UNANIMOUSLY APPROVED.

## 7.2 **Executive Committee Report**

### 7.2.1 **Proposed Bylaws Amendments**

President Young stated that the Bylaws Committee met on September 21, 2005 to consider various changes to the Bylaws. A summary of the recommended changes is as follows:

- With regard to the Administration Committee, the President would be given the discretion to appoint additional Regional Council members to the Committee in the event that a subregional organization is not otherwise represented on the Committee.

- With regard to each Policy Committee, the President to the extent practicable is to appoint an equal number of members taking into consideration factors such as regional representation, geographical balance, and diversity of views.
- With regard to the quorum of the Executive Committee, in the event that there is a vacancy in the membership of the Committee, the quorum would be reduced from 5 to 4 members.
- With regard to the selection of the Officers of the Regional Council, every fourth year a County representative would be selected for the office of second Vice-President. This would eliminate the currently specified three year rotation for the office of President. Since the rotation would occur at the second Vice-President position, there would be no need to have the “catch up” provisions regarding the office of the President

Mayor Pro Tem Roberts and Councilmember Dixon expressed concerns regarding the four-year process and the possibility of not having a county representative on the Executive Committee. Karen Tachiki, Chief Counsel, presented the following as an option: 1) Change the membership to ensure that if a County representative is not an Officer or Chair of the Administration Committee or Policy Committee the President could appoint a County representative to serve on the Executive Committee.

It was MOVED (Dixon), SECONDED (Ovitt) and UNANIMOUSLY APPROVED to incorporate the recommended changes to Bylaws including the suggestions of the Chief Counsel and to forward to the General Assembly for consideration.

### 7.3 **Administration Committee Report**

No action items to report.

### 7.4 **Transportation & Communications Committee Report**

No action items to report.

### 7.5 **Energy & Environment Committee Report**

#### 7.5.1 **Energy Working Group**

It was MOVED (Washburn), SECONDED (O'Connor) and UNANIMOUSLY APPROVED to form a Energy Working Group to assist staff in the development of the Energy Chapter of the RCP.

## **7.6 Community, Economic & Human Development Committee Report**

### **7.6.1 RHNA and “House Your Own” Planning**

SCAG’s focus will be to develop a policy rather than a statistically based RHNA that emphasizes the use of improved growth data locally to help subregions and communities “house their own”, and identify priority investment zones where incentives may be targeted to encourage additional housing development, i.e. Compass 2% Strategy areas identified locally. SCAG executive staff has been in discussion with the Secretary of Business, Transportation and Housing on this issue over the last several months.

The CEHD recommended that the Regional Council approve pursuing an alternative approach to RHNA which allows greater consistency between the forecast the region prepares for the RTP and the housing need input from local government.

It was MOVED (Bowlen), SECONDED (Jasper) and UNANIMOUSLY APPROVED.

## **7.7 Communications & Membership Subcommittee**

Councilmember Baldwin stated that the subcommittee discussed the following: 1) The formation of a potential Business Advisory Group; 2) Seeking new Regional Council members as candidates for a proposed Leadership Academy; and 3) A five-point plan was drafted and presented regarding an effort to recruit new member cities this year.

## **8.0 INFORMATION ITEMS**

### **8.1 Presentation by State Office of Emergency Services (OES)**

Steve Sellers, Regional Administration, OES, made a slide presentation. SAFETEA-LU, the new Federal Transportation Bill, identifies new areas of planning responsibility regarding such things as Transit Security and Emergency response to natural and man-made disasters which SCAG needs to address.

## **9.0 LEGAL COUNSEL REPORT**

### **9.1 Closed Session**

- Writ of Mandate re: Board of Control Decision on, Statutes 1980 Ch. 1143 Claim No. 3929 Before the Commission on State Mandates (RHNA Determination Cost Reimbursement- Council of Governments)



Code Section Conference with Legal Counsel pursuant to Government 54956.9 Pending Litigation (one potential case).

The General Counsel provided a report and was authorized to file a notice of appeal, if necessary

- Conference with Legal Counsel – potential litigation  
Audit issues: San Gabriel Valley Council of Governments and Orange County Council of Governments. Significant Exposure to litigation pursuant to Section 54956.9(b)  
Two (2) potential cases.

A report was given, but no action taken

- Havens v. SCAG  
Havens v. Southern California Association of Governments, Los Angeles County, Case No. BC 324931  
Conference with Legal Counsel re: pending litigation  
Pursuant to Government Code section §54956.9(a)

No closed session was held.

#### **10.0 FUTURE AGENDA ITEMS**

There were no items requested.

#### **11.0 ANNOUNCEMENTS**

There were no announcements. Merry Christmas and Happy New Year!

#### **12.0 ADJOURNMENT**

The next meeting will be held at SCAG offices Thursday, January 5, 2006.

  
Mark Pisano, Executive Director